



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/835,732	04/11/97	KLEIN	D MPAT.172A

020995 MM91/0130
KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH CA 92660

EXAMINER

NGUYEN, D

ART UNIT PAPER NUMBER

2871

DATE MAILED: 01/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/835,732

Applicant(s)
Klein

Examiner
Dung Nguyen

Group Art Unit
2871



☒ Responsive to communication(s) filed on Jan 22, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/22/2001 has been entered.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

1. Claims 5 and 8 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 5 recites the limitation "the LCD is adjacent to the inner surface" of the LCD housing while "the LCD coupled directly to the LCD housing" in claim 1. Such limitation fails to further limit the subject matter of a based claim.

Similar to claim 5, claim 8 recites the limitation "a gap exists between the LCD and the inner surface of the LCD housing" while "the LCD coupled directly to the LCD housing" in claim 1. Such limitation fails to further limit the subject matter of a based claim.

Claim Rejections - 35 USC § 102

2. Claims 1-2, 14-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Malhi, US Patent No. 5,844,773.

The above claims are anticipated by Malhi's figure 4 and accompanying text, which together disclose a computer display and method for conducting light in the computer display comprising:

- a LCD housing (22) comprising a single, light conducting material (80); and functions as a light pipe for conducting light from a light source (85) to the LCD (50) and protects the LCD (col.3, ln. 20+);
- the light source (85) couple to the LCD housing;
- a LCD (50) coupled directly to the LCD housing;

3. Claims 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kalmanash, US Patent No. 5,211,463.

Kalmanash discloses a backlight system for a liquid crystal display device and a method for conducting light thereof (figure 5) comprising:

- a light source (42") for generating light;
- a LCD housing comprising a single, light conducting material (46"); and functions as a light pipe for conducting light from a light source to the LCD (60").
- the LCD housing having a reflectively coated outer surface (78) for reflecting light from light source.

Claim Rejections - 35 USC § 103

4. Claims 1-16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanash, US Patent No. 5,211,46 , in view of Malhi, US Patent No. 5,844,773.

Regarding claims 1-3, 14-16 and 20, although Kalmanash does not explicitly disclose the LCD coupled directly to the LCD housing as well as the light source couple to the LCD housing, Malhi does disclose the LCD and the light source couple to the LCD housing as shown in fig 4. Therefore, it would have been obvious to one skill in the art to modify the Kalmanash display having the LCD and the light source couple to the LCD housing as shown by Malhi in order to improved display system with a decreased size and weight as well as the incident light to the display system (see Summary of the Invention).

Regarding the claims 4-13 and 19, the modification to Kalmanash discloses the claimed invention except for the reflectively coated surface being made of a metal capable of attenuating EMI emissions. It is notoriously well known in the art to use a metal layer as a light reflector, and such metal layer can also act as an EMI shield. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a metal layer as the reflective and EMI-shielding surface because:

- the use of a metal layer such as aluminum, chromium, or nickel as a reflective layer in an illumination apparatus for a LCD is notoriously well know;
- consumer desire for higher computing power of laptops, coupled with the advent of faster computer processors available, result in an increase in electromagnetic interference being

generated by such laptops; therefore, the reflective metal layer, due to its conductive property, can also act as an EMI shield to attenuate EMI leaking out of the laptops; furthermore, it can also act as a heat sink to reduce the increasing heat being associated with faster processors and computer electronics in the laptops.

Response to Arguments

5. Applicant's arguments filed 02/22/2001 have been fully considered but they are not persuasive.

Regarding rejection under 35 U.S.C. 102(e), Applicant argues that the light guide 80 and the backing case 22 of Malhi are separate structure component performing separate functions (amendment, page 3). The Examiner is not convinced by this argument since the term "comprise" is an open language, so that the phrase "an LCD housing comprising a single, light conducting material" can be interpreted as the LCD housing including a light guide or a case, etc. It does not mean that the LCD housing is also a light guide. Therefore, the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

Therefore, the limitation of claims 1-2, 14-18 and 20 are met.

6. Applicant's amendments have been considered but are moot in view of the new ground(s) of rejection as stated above.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is (703) 305-0423. The fax phone number for this Group is (703) 308-7722.

Serial Number: 08/835,732
Art Unit: 2871

Page 6

Any information of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0956.

DN
01/28/2001


William L. Sikes
Supervisory Patent Examiner
Group 2871